

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
FIFTY-NINTH LEGISLATURE

—————
EIGHTY-SEVENTH LEGISLATIVE DAY
WEDNESDAY, APRIL 2, 2008

House of Representatives

The House convened at 10:00 a.m., Mr. Moyle in the Chair.

Roll call showed 64 members present.

Absent and excused – Anderson, Brackett, Bradford,
Chadderdon, Lake, Mr. Speaker. Total – 6.
Total – 70.

Prayer was offered by Representative Dick Harwood.

The Pledge of Allegiance was led by Elijah Roberts, Page.

Approval of Journal

April 2, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-sixth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

Report of Standing Committees

April 2, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 656**, as amended, **H 680**, **H 695**, **H 696**, **H 477**, **H 481**, as amended, and **H 630**.

CLARK, Chairman

The Speaker Pro Tem announced that the Speaker was about to sign enrolled **H 656**, as amended, **H 680**, **H 695**, **H 696**, **H 477**, **H 481**, as amended, and **H 630**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 2, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 643**, **H 681**, **H 683**, and **H 687** to the Governor at 9:40 a.m., as of this date, April 2, 2008.

CLARK, Chairman

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 697 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO POWERS AND DUTIES OF THE IDAHO TRANSPORTATION BOARD AND FEDERALLY-FUNDED HIGHWAY PROJECT FINANCING; AMENDING SECTION 40-315, IDAHO CODE, TO DELETE A PROJECT FROM THE LIST OF PROJECTS FROM WHICH THE BOARD SHALL SELECT AND DESIGNATE TRANSPORTATION PROJECTS TO BE FUNDED WITH BOND PROCEEDS.

April 1, 2008

The Honorable Lawrence Denney
Speaker of the House

Dear Speaker Denney,

We the undersigned hereby petition the presiding officer of the House of Representative pursuant to Joint Rule 20 to waive the provisions of Joint Rule 20 with regard to introduction of a proposed Constitutional Amendment after the 36th day of the Regular Legislative Session. This waiver would allow introduction fo RS 18172 (**HJR 5**).

We would appreciate your consideration of this petition.

Sincerely,

/s/ Mike Moyle, Majority Leader
/s/ Scott Bedke, Assistant Majority Leader
/s/ Ken Roberts, Majority Caucus Chairman

The Speaker Pro Tem announced that pursuant to the 36th day deadline, and a petition being presented, Joint Rule No. 20 would be waived for the purpose of introducing a joint resolution to make an amendment to the Constitution of the State of Idaho.

HOUSE JOINT RESOLUTION NO. 5 BY WAYS AND MEANS COMMITTEE A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE VIII, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO LIMITATIONS ON COUNTY AND MUNICIPAL INDEBTEDNESS TO REMOVE THE REQUIREMENT THAT CITIES MAY ISSUE REVENUE BONDS RELATING TO AIR NAVIGATION FACILITIES UPON THE ASSENT OF TWO-THIRDS OF THE QUALIFIED ELECTORS VOTING AT AN ELECTION TO BE HELD FOR

THAT PURPOSE, TO PROVIDE THAT CITIES AND OTHER POLITICAL SUBDIVISIONS MAY ISSUE REVENUE BONDS RELATING TO AIR NAVIGATION FACILITIES OR AIRPORT FACILITIES UPON THE ASSENT OF A MAJORITY OF QUALIFIED ELECTORS VOTING AT AN ELECTION TO BE HELD FOR THAT PURPOSE, AND TO PROVIDE THAT SO LONG AS NO TAX REVENUE IS TO BE OBLIGATED FOR REPAYMENT, INDEBTEDNESS OR LIABILITY MAY BE INCURRED BY OWNERS OR OPERATORS OF PUBLIC HOSPITALS OR MUNICIPAL ELECTRIC SYSTEMS WITHOUT THE NECESSITY OF VOTER APPROVAL TO ALLOW THE PURCHASE, CONTRACT, LEASE, CONSTRUCTION OR OTHER MANNER OF ACQUISITION OF FACILITIES, EQUIPMENT, OUTPUT, CAPACITY, TECHNOLOGY AND REAL PROPERTY FOR HEALTHCARE OR ELECTRIC UTILITY OPERATIONS; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

H 697 and **HJR 5** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

SCR 140, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

S 1518, by Finance Committee, was read the second time by title and filed for third reading.

SJR 105, by State Affairs Committee, was read the second time by title and filed for third reading.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

April 2, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 697** and **HJR 5**.

CLARK, Chairman

H 697 was referred to the Transportation and Defense Committee.

HJR 5 was referred to the State Affairs Committee.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **SCR 140** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **SCR 140** be read the first time by title, second time by title, and third time at length and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Chavez, Chew, Collins, Crane, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35). Total -- 61.

NAYS -- Durst, Rusche. Total -- 2.

Absent and excused--Anderson, Brackett, Bradford, Chadderdon, Clark, Lake, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **SCR 140** was read the first time by title, second time by title, and third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Stevenson to open debate.

The question being, "Shall **SCR 140** be adopted?"

Roll call resulted as follows:

AYES -- Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35). Total -- 63.

NAYS -- Harwood. Total -- 1.

Absent and excused--Anderson, Brackett, Bradford, Chadderdon, Lake, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **SCR 140** adopted and ordered the resolution returned to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **S 1518** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of

Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1518** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Chavez, Chew, Collins, Crane, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35). Total -- 61.

NAYS -- Durst, Rusche. Total -- 2.

Absent and excused--Anderson, Brackett, Bradford, Chadderdon, Clark, Lake, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1518** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **S 1518** pass?"

Roll call resulted as follows:

AYES -- Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35). Total -- 63.

NAYS -- Barrett. Total -- 1.

Absent and excused--Anderson, Brackett, Bradford, Chadderdon, Lake, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1518** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Bedke moved that the House recess until 1:00 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 1:00 p.m.

RECESS

First Afternoon Session

The House reconvened at 1:00 p.m., the Speaker in the Chair.

Roll call showed 64 members present.

Absent and excused -- Anderson, Brackett, Bradford, Chadderdon, Clark, Shirley. Total -- 6.

Total -- 70.

Prior to recess, the House was at the Seventh Order of Business.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

April 2, 2008

Mr. Speaker:

I transmit herewith enrolled **S 1361**, as amended, as amended in the House, **S 1519**, and **SCR 135** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1361**, as amended, as amended in the House, **S 1519**, and **SCR 135** and, when so signed, ordered them returned to the Senate.

April 2, 2008

Mr. Speaker:

I return herewith enrolled **H 380**, as amended, as amended, as amended in the Senate, **H 447**, as amended, as amended in the Senate, **H 606**, as amended in the Senate, **H 607**, as amended in the Senate, and **H 664**, as amended, which have been signed by the President.

WOOD, Secretary

Enrolled **H 380**, as amended, as amended, as amended in the Senate, **H 447**, as amended, as amended in the Senate, **H 606**, as amended in the Senate, **H 607**, as amended in the Senate, and **H 664**, as amended, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 2, 2008

Mr. Speaker:

I return herewith **H 682** which have passed the Senate.

WOOD, Secretary

H 682 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

April 2, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 682**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 682**, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

April 2, 2008

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **HJR 5** and recommend that it do pass.

LOERTSCHER, Chairman

HJR 5 was filed for second reading.

Mr. Moyle moved that the House recess until 2:30 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 2:30 p.m.

RECESS

Second Afternoon Session

The House reconvened at 2:30 p.m., the Speaker in the Chair.

Roll call showed 66 members present.

Absent and excused -- Anderson, Brackett, Bradford, Chadderdon. Total -- 4.

Total -- 70.

Prior to recess, the House was at the Fifth Order of Business.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

House of Representatives

April 2, 2008

The Honorable Lawrence Denney
Speaker of the House of Representatives

Dear Speaker Denney,

The House Conference Committee appointed to confer on **H 599**, as amended, as amended in the Senate, has conferred, and the Committees do jointly agree and recommend:

1. That **H 599**, as amended, as amended in the Senate, be returned to the Senate; and
2. That **H 599**, as amended, as amended in the Senate, be further amended in the Senate as follows:
 - a. Change the maximum amount of exempt personal property from \$75,000 to \$100,000.
 - b. Provide a trigger mechanism to initially implement the bill that general fund revenues must grow at least five

percent from the preceding fiscal year. If general fund revenues have not increased the minimum amount, then the first fiscal year that general fund revenues increase at least five percent from the preceding fiscal year would be the year that the act is triggered.

- c. The \$100,000 exemption would be granted by taxpayer by county.

SENATORS: REPRESENTATIVES:

/s/ Brent Hill

/s/ Joe Stegner

/s/ David Langhorst

/s/ Dennis Lake

/s/ Jim Clark

/s/ Bill Killen

Mr. Lake asked unanimous consent that the report of the Conference Committee on **H 599**, as amended, as amended in the Senate, be adopted. Seconded by Mr. Bedke.

Whereupon the Speaker declared the motion passed, and the report of the Conference Committee **H 599**, as amended, as amended in the Senate, was adopted.

April 2, 2008

Mr. Speaker:

I transmit herewith **S 1507** which has passed the Senate.

WOOD, Secretary

S 1507 was filed for first reading.

April 2, 2008

Mr. Speaker:

I return herewith **H 691** which has passed the Senate.

WOOD, Secretary

H 691 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

April 2, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 380**, as amended, as amended, as amended in the Senate, **H 447**, as amended, as amended in the Senate, **H 606**, as amended in the Senate, **H 607**, as amended in the Senate, and **H 664**, as amended, to the Governor at 1:30 p.m., as of this date, April 2, 2008.

CLARK, Chairman

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1507, as amended, by State Affairs Committee, was introduced, read the first time by title, and held at the Desk.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **HJR 5** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HJR 5** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Chavez, Chew, Clark, Collins, Crane, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 65.

NAYS -- Durst. Total -- 1.

Absent and excused--Anderson, Brackett, Bradford, Chadderdon. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HJR 5** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Labrador to open debate.

The question being, "Shall **HJR 5** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused--Anderson, Brackett, Bradford, Chadderdon. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, **HJR 5** passed the House. Title was approved and the resolution ordered transmitted to the Senate.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

April 2, 2008

Mr. Speaker:

I transmit herewith **H 599**, as amended, as amended in the Senate, as amended in the Senate, which has passed the Senate.

WOOD, Secretary

H 599, as amended, as amended in the Senate, as amended in the Senate, was ordered held at the Desk.

Mr. Clark asked unanimous consent that the House concur in the Senate amendments to **H 599**, as amended, as amended in the Senate, as amended in the Senate. There being no objection, it was so ordered.

H 599, as amended, as amended in the Senate, as amended in the Senate, was referred to Judiciary, Rules, and Administration for engrossing.

Report of Standing Committees

April 2, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 691**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 691**, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

April 2, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 599**, as amended, as amended in the Senate, as amended in the Senate.

CLARK, Chairman

H 599, as amended, as amended in the Senate, as amended in the Senate, was filed for first reading of engrossed bills.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1507, as amended, previously held at the Desk was filed for second reading.

First Reading of Engrossed Bills

H 599, as amended, as amended in the Senate, as amended in the Senate, by Revenue and Taxation Committee, was read the first time by title and filed for second reading.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 599**, as amended, as amended in

the Senate, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 599**, as amended, as amended in the Senate, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Chavez, Chew, Clark, Collins, Crane, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 64.

NAYS -- Durst. Total -- 1.

Absent and excused--Anderson, Bell, Brackett, Bradford, Chadderdon, Smith(24). Total -- 5.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 599**, as amended, as amended in the Senate, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 599**, as amended, as amended in the Senate, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused--Anderson, Brackett, Bradford, Chadderdon, Smith(24). Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 599**, as amended, as amended in the Senate, as amended in the Senate, passed the House. Title was approved and the bill ordered referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle asked unanimous consent that committees be appointed by the Speaker to notify the Governor and the Senate that the House is ready to adjourn Sine Die. There being no objection, it was so ordered.

The Speaker appointed Representatives Nonini, Bolz, and Henbest to notify the Governor and Representatives Mortimer, Snodgrass, and LeFavour to notify the Senate. The committees were excused.

The committee appointed to notify the Governor reported that it had delivered the message to the Governor. The committee was thanked and discharged by the Speaker.

The committee appointed to notify the Senate reported that they had delivered the message to the Senate. The committee was thanked and discharged by the Speaker.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House of Representatives of the Second Regular Session of the Fifty-ninth Legislature of the State of Idaho adjourn Sine Die. Seconded by Ms. Jaquet.

Whereupon the Speaker declared the motion carried and the House of Representatives of the Second Regular Session of the Fifty-ninth Legislature of the State of Idaho adjourned Sine Die at 4:34 p.m., April 2, 2008.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

HJR 5 was returned from the Senate failed and ordered filed in the Office of the Chief Clerk.

H 599, as amended, as amended in the Senate, as amended in the Senate, was enrolled signed by the Speaker, signed by the President, and delivered to the Governor at 2:06 p.m., as of this date, April 3, 2008.

Enrolled **S 1518** and **SCR 140** were received from the Senate, signed by the Speaker, and returned to the Senate.

Enrolled **H 477**, **H 481**, as amended, **H 630**, **H 656**, as amended, **H 680**, **H 682**, **H 695**, **H 696**, and **H 691** were returned from the Senate signed by the President, and delivered to the Governor at 2:06 p.m., April 3, 2008.

OFFICE OF THE GOVERNOR
Boise

April 9, 2008

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 380, as amended, as amended, as amended in the Senate, **H 447**, as amended, as amended in the Senate, **H 477**, **H 481**, as amended, **H 483**, as amended, **H 514**, as amended in the Senate, **H 532**, **H 606**, as amended in the Senate, **H 630**, **H 643**, **H 654**, as amended, **H 656**, as amended, **H 661**, **H 670**, **H 672**, **H 673**, **H 681**, **H 683**, **H 687**, **H 691**, and **H 695**.

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

OFFICE OF THE GOVERNOR
Boise

April 11, 2008

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 494, **H 599**, as amended, as amended in the Senate, as amended in the Senate, **H 607**, as amended in the Senate, **H 620**, **H 682**, and **H 696**

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

OFFICE OF THE GOVERNOR
Boise

April 14, 2008

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 602, as amended

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

OFFICE OF THE GOVERNOR
Boise

April 14, 2008

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I hereby advise you that I have returned without my approval, disapproved and vetoed, the following House Bill, to wit:

H 664, as amended

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 1:30 p.m. on April 2, 2008.

Having just signed House Bill 599, granting personal property tax relief to roughly 88 percent of small businesses throughout Idaho, it would be inconsistent and unwise to then approve legislation eliminating tax relief for some of those businesses as well as some of Idaho's larger employers. Specifically, this bill would eliminate the 5-percent income tax credit for research activities – essentially imposing a nearly \$1.4 million annual tax increase on those who invest in research and development to create products, jobs and income for Idahoans. That would put Idaho at a competitive disadvantage with surrounding states, which offer employers research-and-development tax credits.

Many of Idaho's employers and exporters rely on research and development investment as they expand, diversify and engage in critical partnerships with such public-sector entities as the Idaho National Laboratory and our colleges and universities. These are relatively long-term investments, expressing a commitment to Idaho's economy and more importantly to our people. To withdraw this small but important incentive while at the same time providing personal property tax relief to help stimulate business growth and investment sends a confusing and troubling signal to those with the confidence and entrepreneurial spirit to tie their wagon to Idaho's star.

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

OFFICE OF THE GOVERNOR
Boise

April 15, 2008

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 680

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

CERTIFICATE

WE, LAWRENCE DENNEY, Speaker of the House of Representatives, and BONNIE ALEXANDER, Chief Clerk, do hereby certify and attest as follows:

That we have carefully compiled in the House Journal of the Second Regular Session of the Fifty-ninth Legislature all of the proceedings of the Eighty-seventh Legislative Day, and that the said Journal contains a full, true, and correct record of all of the proceedings of said House of Representatives for said day and final action upon all legislation.

IN WITNESS WHEREOF, we have hereunto set our hands, 16th day of April, 2008.

LAWRENCE DENNEY, Speaker

Attest:

BONNIE ALEXANDER, Chief Clerk